



Application No: GB0424655.9

Examiner: Dr Stephen Richardson

Claims searched: All

Date of search: 22 February 2005

Patents Act 1977: Search Report under Section 17

Documents considered to be relevant:

Category	Relevant to claims	Identity of document and passage or figure of particular relevance
X,P	1, 31 at least	GB 2397407 A (SUN) see whole document, paragraphs 47, and 89-91 in particular.
X	1, 31 at least	WO 03/069464 A2 (ERICSSON) see whole document.
X	1, 31 at least	US 2003/0107588 A1 (ELSBREE) see Figures 2 & 6 and paragraphs 39-40 and 63.
X	1, 31 at least	EP 1280061 A2 (ELECTRONICS AND TELECOMMUNICATIONS RESEARCH INSTITUTE) see Figures 2 & 3 and paragraphs 45-54.
X	1, 31 at least	WO 01/65332 A2 (WIND RIVER) see paragraphs 2-8.
X	1, 31 at least	WO 01/65364 A2 (WIND RIVER) see Figure 2 and paragraphs 12 and 19-24.

Categories:

X	Document indicating lack of novelty or inventive step	A	Document indicating technological background and/or state of the art.
Y	Document indicating lack of inventive step if combined with one or more other documents of same category.	P	Document published on or after the declared priority date but before the filing date of this invention.
&	Member of the same patent family	E	Patent document published on or after, but with priority date earlier than, the filing date of this application.

Field of Search:

Search of GB, EP, WO & US patent documents classified in the following areas of the UKC^X:

Worldwide search of patent documents classified in the following areas of the IPC⁰⁷

G06F

The following online and other databases have been used in the preparation of this search report

ONLINE: EPODOC, WPI



Your ref : Rapid Dev II (UK) Examiner : Dr Stephen Richardson
Application No: GB0424655.9 Tel : 01633 813725
Applicant : Intuwave Limited Date of report : 23 February 2005
Latest date for reply: 7 November 2005

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Patents Act 1977

Combined Search and Examination Report under Sections 17 & 18(3)

Excluded Matter – Section 1(2)

1. Your invention, as set out in claims 1-34, cannot be the subject of a grant of a valid patent because it is excluded under the provisions of section 1(2)(c).

2. I consider that, in substance, independent claims 1 and 31 define nothing more than the use of a command-line interface to call modules of a modular computer program. Claims 1 and 31 do not involve a technical contribution. Consequently, I consider that your invention is best described as a computer program as such and/or a mental act as such. Furthermore, I am unable to identify a technical contribution associated with any of your dependent claims. As a result, I consider that claims 1-34 are excluded under section 1(2)(c).

3. Notwithstanding the objection raised above, the following objections are also raised.

Clarity and support – Section 14(5)

4. Claim 1 defines a “method of rapid software development”. I am unable to identify any technical feature or features of claim 1 which achieve this stated aim of making software development more “rapid”. Consequently, I consider claim 1 attempts to define your invention in terms of an intended result. This means that the scope of claim 1 is unclear.

5. A similar objection is raised against claim 31.

6. I consider that the scope of claim 1 is broad and indeterminate. For example, claim 1 purports to define a “method” yet I can identify only one method step, i.e. “calling modular software elements”. The rest of claim 1 appears to relate to the properties of a modular computer program. This apparent contradiction casts doubt on the matter for which protection is sought.

7. A similar objection is raised against claim 31.



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[Examination Report contd.]

Novelty or Inventive step - Sections 1(1)(a) and (b)

8. Although your invention is not set out clearly, it seems that it might not be new or that it might be obvious in view of what is disclosed in the following documents:

GB 2397407 A	(SUN) see whole document, paragraphs 47, and 89-91 in particular
WO 03/069464 A2	(ERICSSON) see whole document
US 2003/0107588 A1	(ELSBREE) see Figures 2 & 6 and paragraphs 39-40 and 63
EP 1280061 A2	(ELECTRONICS AND TELECOMMUNICATIONS RESEACH INSTITUTE) see Figures 2 & 3 and paragraphs 45-54
WO 01/65332 A2	(WIND RIVER) see paragraphs 2-8
WO 01/65364 A2	(WIND RIVER) see Figure 2 and paragraphs 12 and 19-24.

9. Please note that during my search, I found many documents which were citable against claims 1 and 31. The documents listed above are only examples chosen from many possible citations. Further searching will be required after the claims have been amended.

10. You should consider these documents carefully when amending your specification.

11. All of the documents listed above appear to fall within the scope of claims 1 and 31 at least. These documents each disclose systems for developing software for mobile devices wherein software modules are called or executed from a command-line interface. SUN, ELECTRONICS AND TELECOMMUNICATIONS RESEACH INSTITUTE and both WIND RIVER documents disclose such systems explicitly. I consider that the use of a command-line interface is, at the very least, implied by ELSBREE and ERICSSON. For example, ELSBREE discloses the use of a unix operating system, i.e. a command-line operating system.

12. Please also note that I consider that claims 1 and 31 are anticipated by the common general knowledge of a person skilled in the art of digital data processing. Software development by calling modular program elements from a command-line interface is extremely well known.

Registered Trade Marks

1. Although they should preferably be avoided, if you wish to keep the reference(s) to the Registered Trade Marks "Bluetooth", "Java", "Windows", "Macintosh", "Mac" and "linux" used throughout your specification, you should acknowledge that they are Registered Trade Marks, possibly by using the abbreviation "(RTM)". If you do not insert an acknowledgment, I will do so in manuscript.



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[Examination Report contd.]

2. You should not use the Trade Mark "Bluetooth" in claims 3 and 22 because of potential uncertainty as to what is claimed.

Other matters

3. A relevant publication number should be supplied for the application number referenced on page 12, i.e. WO 03/019865.